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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILLIE SMITH,

Plaintiff

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant

Case No.: 2:18-cv-00566-APG-NJK

**Order Accepting Report and
Recommendation**

[ECF Nos. 20, 21, 23]

On January 31, 2019, Magistrate Judge Koppe recommended that I deny plaintiff Willie Smith's motion for reversal or remand and grant the Commissioner's motion to affirm. ECF No. 23. Smith did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

IT IS THEREFORE ORDERED that Magistrate Judge Koppe's report and recommendation (**ECF No. 23**) is **accepted**, plaintiff Willie Smith's motion to remand (**ECF No. 20**) is **DENIED**, and the Commissioner's motion to affirm (**ECF No. 21**) is **GRANTED**. The clerk of court is instructed to enter judgment in favor of the defendant and against the plaintiff.

DATED this 21st day of February, 2019.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE